



April 24, 2014

REVISED May 13, 2014

Members of the City Council:

On April 15, 2014, the Urban Village Development Commission passed a motion recommending approval of the Preliminary Plat for Talus (formerly East Village), Parcels 8 and 9, File No. PP14-00001, subject to conditions; and tabling Parcel 7 to return to the Urban Village Development Commission on May 6 and potentially joining Parcels 8 and 9 at Council for a final determination. The purpose of this letter is to convey those Findings, Conclusions, and Recommended Conditions to the Council.

Findings of Fact:

1. To be approved, the proposed plat must comply with the requirements of IMC Chapter 18.13 (Subdivisions), and make appropriate provisions, as specified in RCW 58.17, that the public interest will be served by the subdivision and dedication; and that provisions have been made for, but not limited to, the public health, safety, and general welfare; for open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds; and shall consider all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school.
2. Talus Management Services submitted a Preliminary Plat application to subdivide the approximately 34.75 acres in three development parcels: 7, 8, and 9 of Talus into 153 lots for single family detached and attached homes. Sixteen tracts are provided for utility, access, recreation, critical areas, vegetative buffer, and open space.
3. The property is located at the western edge of the Urban Village development, north of the Shangri La Way extension, west of Parcel 6, east of the project boundary, and north of the permanent open space (NGPA). The site is north of the West Fork of Tibbetts Creek.
4. The property is zoned UV/EV (Urban Village/East Village) and is designated as Urban Village in the City of Issaquah's Comprehensive Plan.
5. The site is logged and undeveloped.

6. Parcels 6, 7, 8, and 9 were not included in the Master Plat for East Village (File No. FP00-001EV). The property boundary was established by a short plat (SP02-001EV) and three boundary line adjustments (LLA00-001EV, LLA04-002EV, LLA14-00006).
7. After an initial briefing on April 1, 2014, the Urban Village Development Commission held a public hearing on the proposed preliminary plat on April 15, 2014. Notice of the hearing was forwarded to the Issaquah Press; notices were mailed to all property owners within 300 feet; and the site was posted.
8. The Public Record was closed concerning Parcels 8 and 9 on April 15, 2014. The Public Comment period concerning Parcel 7 will remain open until at least May 6, 2014.
9. The project was determined by the DSD as falling within the "project envelope" of the East Village development evaluated in the 1999 EIS for Cougar Mountain East Village.
10. The development standards for land use and dimensions as set forth in the Cougar Mountain East Village Development Agreement (Appendix C) were used to evaluate the development proposal. The builder requested and the Master Developer and City approved a reduction of land use density for Parcels 8 and 9 per the elections provided in Appendix K; the election was confirmed. The proposal complies with Appendix C.
11. The critical area standards of Appendix E of the development agreement were used to evaluate the proposal. Critical Area Studies were submitted, reviewed, and approved for steep slope elimination and modification and steep slope buffer reduction.
12. No school facilities are proposed or required. Mitigation fees are required per the Development Agreement.
13. There are no Affordable Housing units proposed or required in Parcels 7-9, per the First Amendment to the Development Agreement.
14. The development standards for urban roads as set forth in Appendix F of the Development Agreement were used to evaluate the proposal. As conditioned, the proposal is consistent with those standards. Final design details of road improvements will be reviewed through utility permits.
15. The development standards for storm water management and groundwater protection as set forth in Appendix D of the Development Agreement were used to evaluate the proposal. Appropriate measures for storm water management and groundwater will be provided.
16. A westerly buffer in Tract D has been provided as required by the Main Body of the Development Agreement, and as amended by AMM04-012EV (revised).
17. The development standards for utilities as set forth in City standards were used to evaluate the proposal. The proposal, with the recommended conditions of approval, complies with the applicable standards. Telephone, cable, electrical and natural gas utilities are adequate and will be underground.
18. Pedestrian facilities consist of sidewalks generally along both sides of the streets, several types of trails connecting from the street to adjacent or future trails outside of the plat,

such as a trail connection to the Shangri-La Trail, located outside of the parcels. The plat also provides internal trails. Trails cannot accommodate bicycles due to the steep grades, but the internal street loop will be a low enough volume and speed that bikes are incorporated into the travel lanes. The proposal is consistent with the Master Trails Plan and Appendix R, Trails. Pedestrian and bicycle facilities are adequately provided as shown or conditioned.

19. Recreational facilities are provided in each Parcel or in close proximity. The design of these tracts, as proposed and conditioned, will meet the expectations in the Development Agreement.
20. The proposal was referred to other City Departments for review and comment. Comments from the Fire Department were received and were reflected in the plat proposal or were conditions. Public Works Operations also conveyed comments on this application, which will be addressed through utility permits. The Police Department had no comments.
21. Impact fees will be required for Police, Fire, and General Government. The appropriate amounts shall be paid at various trigger points specified in the Development Agreement.
22. Written comments were received on behalf of seven people; three of the letter writers also testified. In addition eight other members of the public testified but did not also submit written testimony. Letters and Testimony addressed several concerns including maintenance, ownership, and scale of walls; reservoirs and walls within the western buffer; reduction in density; design, maintenance and ownership of open space tracts and trails; slope stability and potential for landslides; compliance with Planning Goals and Urban Design Guidelines of the Talus Development Agreement, sidewalk removal, potential annexation of northern parcels, dead end streets, and project timing and phasing.
23. During the briefing and hearing, the UVDC discussed a number of issues related to plat issues, including: maintenance, ownership, design and stability of walls; adequacy, nature, and maintenance of recreation space; adequacy of amenities for pedestrians and removal of sidewalks; western buffer modification; slope stability and site conditions; among others. The applicant responded to some of these issues in a presentation during the Public Hearing. Subsequently, the Commission recommended approval to the City Council of Parcels 8 and 9 of the preliminary plat. The Commission further recommended that additional information be provided and discussion held pertaining to Parcel 7. Continued discussion of Parcel 7 only is scheduled to be heard at the May 6, 2014 meeting of the UVDC, at which time it may rejoin Parcels 8 and 9 for Council decision.

These issues were considered by the UVDC and were determined to be adequately and appropriately addressed by the application.

Conclusions:

1. The proposal will serve the public interest and will protect the public health, safety, and general welfare. Appropriate provisions have been made for open spaces, drainage ways, vehicular and

pedestrian circulation, utilities, parks and recreation, playgrounds, schools, and safe walking conditions for students.

2. The proposal is consistent with Title 18.13 (Subdivisions) of the Issaquah Municipal Code and RCW 58.17.
3. The proposal is consistent with the City of Issaquah Comprehensive Plan.
4. Proper notice was given to the public regarding the time, location, and purpose of the public hearing held by the Urban Village Development Commission.
5. The requirements of SEPA have been fulfilled.
6. The proposal complies, or will be conditioned to comply, with the development standards contained in the Development Agreement, including:
 - a. Main Body, subject to Council verification
 - b. Appendix A (Planning Goals and Commitments)
 - c. Appendix B (Design Guidelines)
 - d. Appendix C (Land Use)
 - e. Appendix D (Stormwater Management and Groundwater Protection)
 - f. Appendix E (Critical Areas)
 - g. Appendix F (Urban Roads)
 - h. Appendix I (Capital Facilities)
7. This proposal adequately achieves Appendix B guidelines related to mountain village character, sociable public realm, and community oriented open space and gathering areas.
8. The Hearing record, prepared by the Administration, is adequate to render a valid recommendation on this application.
9. The proposal complies, or will be conditioned to comply, with the utility standards set forth in City standards.
10. In order to comply with the applicable development regulations, satisfy City Departmental review comments, and serve the public interest, health, safety, and general welfare, the proposal should be conditioned as recommended below.

Motion:

I move that the Urban Village Development Commission recommends approval to the City Council of the Talus – Parcels 8 and 9 preliminary plat, File No. PP14-00001, tabling Parcel 7 to a future date, as described and evaluated in the Staff Report dated March 25, 2014 and plat drawings received February 19, 2014, Briefing Response Memo, dated April 1, 2014, and subject to the conditions therein and as amended tonight:

NEW CONDITION 27: Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner's Association. Additionally, the applicant must prepare a plan for the removal and prevention of established invasive plant species within open space areas. The City must

approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

REVISED CONSTRUCTION CONDITION 54: Any tract in this plat whose primary purpose is open space and which has been cleared, shall be landscaped to prevent erosion and to enhance the overall appearance of the community. Landscaping shall include trees, shrubs, and hydroseeded groundcover mix. Trees selected shall either not be tall at maturity or shall be located to frame rather than block views.

CONDITION 7, revised: ... Design terraced walls shown in the plat to allow and encourage landscaping from below, between, and above the terraced walls. This will be reviewed with the Site Work Permit for the walls and with the Landscape Permit.

CONDITION 8, revised: Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls within that portion of open space. This will be reviewed with the Wall permits and the Landscape Permit.

And, I move that the Urban Village Development Commission direct the Development Services Department to prepare Findings of Fact and Conclusions for review and approval by the UVDC Chairman, affirming the UVDC's decision to move the Talus – Parcels 8 and 9 preliminary plat, File No. PP14-00001, subject to the conditions listed in the Staff Report of March 25, 2014, Briefing Response Memo of April 1, 2014 and as amended tonight.

Conditions:

1. Various easements are required to provide access for the City of Issaquah or property owners. These easements shall be provided with the final plat. These include:
 - When the right-of-way is located at the back of sidewalk or similar paved area, and it is determined to be necessary by the Designated Official, a two-foot maintenance and repair easement shall be granted to the City. For instance if a building or wall is located at the back of publicly owned paved area, the easement is not necessary.
 - Access to retaining walls to allow for maintenance and replacement by the private owners.
2. At Final Plat, a mechanism for ensuring the preservation of the westerly buffer in Tract D as well as an easement for protection of the steep slope therein, shall be provided.
3. At final plat, irregular or pie shaped lots and lots that are narrow in the front shall be adjusted to ensure that the homes have a strong relationship with the street. For example, this condition will require an adjustment to the shape or building placement and/or design on Lot 6 Parcel 7 and Lot 4 Parcel 8.

- 4 In order to minimize the aesthetic impacts of the development, the following shall be incorporated into the Building Permit applications for homes visible from off site:
 - a. Blank walls shall be avoided, especially where visible from off-site; if necessary, articulation or other features will be provided. Articulation would incorporate tiering, building offsets, and/or other means to soften the building's form. Appropriate features would include doors, windows, building articulation, and/or other architectural features to create a visually interesting environment.
 - b. In addition to landscape in the adjacent steep slope tracts, the visible side of the homes may have open-style fences or varied hedges up to 4 ft in height. A covenant or other mechanism, acceptable to the Designated Official, shall be recorded to ensure that if a hedge is used it is maintained at 4 ft. If a fence is used, the appropriate amount of fence openness will be evaluated in combination with the landscaping and building architecture as viewed from outside these parcels. Solid fences or unvaried shrubbery plantings (such as a wall of only arborvitae) will not be permitted.
 - c. The prominent finish of building facades visible from off-site shall be muted, non-reflective material incorporating neutral to dark earth tones.
- 5 The applicant shall use varied building setbacks, modulations in building facades, architectural details and colors to provide added interest and character to achieve a more appropriate mountain village character.
- 6 The landscaping for Tract G, between Parcel 8 and Shangri-La Way, shall be designed so that views from Lots 1-5 are framed but there remains a continuation of the open space character established in Tract D adjacent to Shangri-La Way.
- 7 Design terraced walls shown in the plat to allow and encourage landscaping being located from below, between, and above the terraced walls. This will be reviewed with the Site Work Permit for the walls and with the Landscape Permit.
- 8 Where it is not practical to terrace walls, long and/or tall walls will be articulated, add visual interest to the community, and use landscape to soften the wall and transition the scale of the wall where pedestrians are nearby. For instance, at the base of the eastern wall in Parcel 7, landscaping, which includes the use of coniferous trees where feasible, shall be placed between the base of the wall and the trail in order to reduce the wall's scale and presence to pedestrians. Additionally, coniferous trees shall be provided on the downslope side of the wall in order to better screen the walls by that portion of open space. In addition, walls must be 1) owned and maintained by the Talus HOA (an election by the Homeowners Association), or 2) owned and maintained by a sub-HOA that meets City standards for financial viability, or 3) by another group or organization with the ability to access and assess individual lots for the protection, preservation and eventual replacement of the walls. Consideration must be given to, and demonstrated on the wall design plans, that a method for the eventual replacement of the walls is accommodated in

the wall design and the available property above and below the wall. This will be enforced during the Wall permits and the Landscape Permit.

- 9 Prior to approval of any permit other than this Preliminary Plat, the applicant must receive Master Developer approval and City confirmation for the election to shift down one land use density category, i.e. from Medium Density Residential to Low Density Residential.
- 10 The stormwater system shall comply with the Master Drainage Plan submitted with the Pre Plat application. This will be reviewed with the Site Work Permit.
- 11 Prior to issuance of any Utility Permit that allows the construction of impervious surfaces, the design work necessary to generate stormwater treatment capacity in the P5 Detention Pond and P5 Sand Filter must be approved by the City. The associated work must be completed, prior to issuance of the first Building Permit. The Designated Official may consider accepting surety to alter the completion date based upon a plan to have necessary facilities in place consistent with the Development Agreement, MDP and stormwater generation.
- 12 Future Utility Permits implementing the plat and plat construction shall be consistent with the findings and conditions of approval in Critical Areas Study Notice of Decision – File No. SEP14-00001.
- 13 Structural fills that have a resultant slope of greater than 40% do not need setbacks or buffers under the following circumstances: 1) they have been designed by a licensed geo-technical or structural engineer and 2) construction was performed under the guidance of a licensed structural or geo-technical engineer, and 3) the as-built plans are certified by a licensed structural or geo-technical engineer. Otherwise, these areas will be treated as steep slopes under Appendix E. This will be reviewed with the Site Work Permits.
- 14 The constructed walls that are proposed on the western project boundary must be designed to accommodate revegetation plantings without landscaping or irrigation restrictions. The intent is to revegetate immediately adjacent to the walls with deciduous Douglas Fir and Cedar Trees that can be allowed to grow to a full mature height. This will be reviewed with the Site Work Permit for walls and with the Landscape Permit.
- 15 At final plat, the BSBL for critical areas shall be shown on all lots with adjacent critical areas.
- 16 At final plat, any private streets shall have an easement allowing emergency vehicles and Public Works to access the street network. In addition, a public access easement shall be granted from the owner to the City.
- 17 Per AMM14-00002, the Parcel 8 road and Tract F (Drive B) must be widened as necessary in order to provide sidewalk and planter facilities. This condition will be verified with the Final Plat.
- 18 To ensure that center-line of roads within the plat do not exceed 15% slope or 600 feet in length, road grades and lengths will be confirmed with Site Work Permits and certified by a surveyor or other professional acceptable to the Designated Official, following construction.

This certification must be provided prior to issuing the first Building Permit in the plat. If grades exceed 15% then all homes past the 15+% slopes must be sprinklered.

- 19 Capital facility fees due at final plat shall be paid prior to final plat approval, and shall be collected based upon the number of lots contained in the final plat and in accordance with Appendix I. The applicant shall be obligated to pay required Appendix I Parks Mitigation Fees, unless the Designated Official determines that credit for other recreational facilities are adequate to offset those fees.
- 20 A condition shall be placed on the face of the final plat which requires the payment of mitigation fees per the School Mitigation Agreement.
- 21 With the final plat, the Tract O recreation and open space tract shall be increased in size or another area within Parcel 7 shall be provided in order to accommodate for a more usable and diverse variety of recreation activities. In either case, the Parcel 7 tract identified for recreation will be graded flat, though it may be terraced into 2-3 flat usable pieces.
- 22 Prior to issuance of the first Building Permit the applicant must submit and receive approval for (both from Issaquah and DOH) a design report that identifies the details of the water supply system to serve parcels in the upper (presumably 906) pressure zone. The report must detail the redundant storage and supply facilities and how they comply with City codes and standards.
- 23 Building permits for combustible construction served by the 916 reservoir may be issued as soon as the 916 reservoir is on-line, full of water, and the water mains serving any specific parcel are connected to the 916 reservoir. Building occupancy may not occur until the water system is accepted by the City of Issaquah.
- 24 All Maintained Landscape Areas and Natural Open Space tracts must be completed by the final inspection for the last adjacent unit or upon 60% occupancy of the surrounding development, whichever occurs first.
- 25 At final plat, Tract A, C, D, J, K, M, N, O and P as well as any other tracts that have trails or recreation facilities shall allow public access on the trails in perpetuity if the tracts containing the trails or recreation facilities are privately owned.
- 26 With any clearing and grading work that would result in plant removal, the applicant shall provide an opportunity for plant salvage consistent with the Wildlife Habitat Network Preservation Plan.
- 27 Any previously cleared land shall be replanted with native, non-invasive trees and plants prior to the acceptance of open space and recreation tracts by the Talus Homeowner's Association. Additionally, the applicant must prepare a plan for the removal and prevention of established invasive plant species within open space areas. The City must approve the plan and it must be implemented prior to the acceptance of any open space and recreation tracts.

Sincerely,

A handwritten signature in black ink, appearing to read 'G Walker', with a large, stylized loop at the end.

Geoff, Walker Chair
Urban Village Development Commission

Attachment:

Cc:
UVDC Members and Alternates, Lucy Sloman, Dan Ervin, Dan Hayes, Darren Peugh, Al Fure, Ryan Kohlmann

